

COMMONWEALTH OF VIRGINIA



APR 26 2019

NORFOLK CIRCUIT COURT  
Civil Division  
150 ST. PAUL'S BLVD 7TH FLOOR  
NORFOLK VA 23510  
(757) 769-8539

Summons

To: WAWA, INC  
MEADE SPOTTS, RA FOR WAWA INC  
411 E FRANKLIN ST, STE. 600  
RICHMOND VA 23219

Case No. 710CL19003339-00

The party upon whom this summons and the attached complaint are served is hereby notified that unless within 21 days after such service, response is made by filing in the clerk's office of this court a pleading in writing, in proper legal form, the allegations and charges may be taken as admitted and the court may enter an order, judgment, or decree against such party either by default or after hearing evidence.

Appearance in person is not required by this summons.

Done in the name of the Commonwealth of Virginia on, Monday, April 08, 2019

Clerk of Court: GEORGE E. SCHAEFER III

by

  
(CLERK/DEPUTY CLERK )

Instructions:

Hearing Official:

Attorney's name: ST CLAIR, JAMES P  
757-498-7700

EXHIBIT

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VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF NORFOLK

DIANA LEE GIBSON,

Plaintiff,

CL19-3337

v.

Case No.: CL19-\_\_\_\_\_

WAWA, INC.,

**SERVE:** Meade Spotts, Registered Agent for Wawa, Inc.  
411 E. Franklin Street, Suite 600  
Richmond, VA 23219

Defendants.

**COMPLAINT**

NOW COMES the Plaintiff, Diana Lee Gibson, by counsel, and hereby moves this Honorable Court, for judgment against the Defendant, in the sum of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) for this, to-wit:

1. Defendant, Wawa, Inc. is a corporation organized under the laws of the State of New Jersey and registered to do business in the Commonwealth of Virginia; upon information and belief, at all times relevant it owned, operated and maintained a retail convenience store Wawa #8645 where it sold merchandise to the public at 1146 N. Military Highway, Norfolk, Virginia 23502.
2. As the owner and operator of said store and business, a place of business to which the general public was invited, Defendant, and its agents and employees had a duty to maintain the premises in a reasonably safe condition; to make reasonable inspections to determine whether any unsafe conditions existed; and to warn the public of any such unsafe conditions about which it, its agents and employees knew or should have known.
3. Notwithstanding all of the said duties, the Defendant and its agents and employees, negligently maintained the premises in an unreasonably safe condition,

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negligently failed to make inspections to determine whether unsafe conditions existed, negligently failed to warn the public of any such unsafe conditions about which it or its agents or employees knew or should have known, all in a portion of the store in an area in which patrons of the store customarily shopped.

4. On or about September 7, 2017, the Plaintiff was a customer in Defendant's store and was walking to the register to buy merchandise when she slipped and fell on the wet floor causing her severe, painful, and permanent injuries.

5. As a further direct and proximate result of the Defendant's negligence, as aforesaid, the plaintiff was caused to suffer severe pain and mental anguish and will continue to suffer severe pain and mental anguish for an indeterminable period of time in the future.

6. As a further direct and proximate result of the Defendant's negligence, as aforesaid, the plaintiff has been caused to expend and will in the future be caused to expend, a substantial sum of money for an indeterminable period of time in an endeavor to be healed and cured of her injuries.

7. As a further direct and proximate result of the Defendant's negligence, as aforesaid, the plaintiff has been unable to work and will be unable to work for an indeterminable time in the future.

WHEREFORE, the plaintiff, Diana Lee Gibson, moves this Honorable Court for judgment against the Defendant, Wawa, Inc. in the sum of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00), plus costs and interest from September 7, 2017.

TRIAL BY JURY IS DEMANDED.

DIANA LEE GIBSON

By

Of Counsel

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